

HOUSE BILL NO. 673

INTRODUCED BY M. HOPKINS

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO COURT RECORDS RELATED TO MARIJUANA CONVICTIONS; AND PROVIDING THAT CERTAIN RECORDS OF CRIMINAL CASES INVOLVING MARIJUANA POSSESSION MAY NOT BE PUBLISHED ON A PUBLICLY AVAILABLE WEBSITE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Records concerning criminal cases. (1) The Montana judicial branch may not publish on a publicly available internet website:

- (a) the name and related court records of a person who has had a conviction expunged pursuant to 16-12-113; or
- (b) any other information related to a person who was:
 - (i) convicted of a crime involving possession of 1 ounce or less of marijuana;
 - (ii) 21 years or older at the time of conviction; and
 - (iii) was not convicted of any other criminal charges in the same case.

(2) The judicial branch shall post a general notice on its publicly available internet website providing that information under subsection (1) has been removed from the publicly available internet website and providing direction on how records that have not been expunged may be obtained in certain circumstances under Title 44, chapter 5.

(3) The judicial branch shall, to the extent practicable, remove publicly available court records and other information under subsection (1) that existed before [the effective date of this act].

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 16, chapter 12, part 1, and the provisions of Title 16, chapter 12, part 1, apply to [section 1].

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